

**United States District Court  
for  
Southern District of Ohio**

**Amended Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: **Julie Anne Italiano**

Case Number: **1:02CR00120**

Name of Sentencing Judicial Officer: **The Honorable Susan J. Diott, United States District Judge**

Date of Original Sentence: **February 4, 2002**

Original Offense: **Conspiracy to Possess with Intent to Distribute Cocaine, in violation of 21 U.S.C. § 846**

Original Sentence: **12 months and one day imprisonment, 36 months of supervised release, and a \$100 special assessment**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **January 30, 2003**

Assistant U.S. Attorney: **To be assigned**

Defense Attorney: **C. Ransom Hudson**

**PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue an Order to Appear and Show Cause  
☐ To grant an exception to revocation without a hearing.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	Condition #7: You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. Italiano submitted urine samples on the indicated dates that tested positive for cocaine: October 12, 2005; October 20, 2005; October 26, 2005; and November 2, 2005.
#2	Standard Condition: You shall not commit another Federal, state, or local crime and shall not illegally possess a controlled substance. On October 26, 2005, the Grand Jury for the Butler County Court of Common Pleas returned an eleven count Indictment against Italiano and her boyfriend, Dennis R. Roberts. According to the Indictment, on March 11, 2005, Italiano sold cocaine. As a result, count one of the Indictment charged Italiano with Trafficking in Cocaine. Possession of Cocaine was charged in count two of the Indictment. This offense occurred on March 11, 2005 and involved Italiano possessing cocaine. In count three, Italiano was charged with Permitting Drug Abuse. This offense occurred on March 11, 2005 and involved Italiano allowing her vehicle to be used for the commission of a felony drug abuse offense. Italiano was charged with Complicity to Trafficking in Cocaine in count four of the Indictment. This offense occurred on March 22, 2005 and involved Italiano aiding another to commit the offense of Trafficking in Cocaine. The Indictment charged Italiano with Permitting Drug Abuse in count five. This offense occurred on March 22, 2005 and involved Italiano allowing her vehicle to be used for the commission of felony drug abuse offense. Roberts was charged in counts six through eleven.

U.S. Probation Officer Recommendation: On October 7, 2005, the Honorable Susan J. Dlott, United States District Judge, signed a Petition for Warrant or Summons for Offender Under Supervision. The Petition alleged that Italiano violated her supervised release by testing positive for cocaine on August 22, 2005 and possessing and distributing cocaine. Italiano appeared before the Honorable Timothy S. Black, United States Magistrate Judge, for an Initial Appearance on the Supervised Release Violation on October 25, 2005. She was released on her own recognizance. Furthermore, on October 19, 2005, Judge Dlott signed an Amended Petition for Warrant or Summons for Offender Under Supervision. The Amended Petition alleged Italiano violated her supervised release by testing positive for cocaine on September 15, 2005 and September 28, 2005. Italiano appeared before Judge Black for an Initial Appearance on the Amended Petition on October 31, 2005. She was again released on her own recognizance.

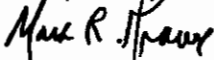
Since August 22, 2005, Italiano has submitted seven urine samples that have tested positive for cocaine. It should be noted she submitted two of the positive urine samples after appearing in Court for an Initial Appearance on a Supervised Release Violation. In view of the above, it is apparent that Italiano's use of cocaine is out of control and she needs to be incarcerated to protect the community. Thus, it is respectfully recommended that a warrant be issued for Italiano's arrest.

The term of supervision should be

- ☒ Revoked.  
☐ Extended for years, for a total term of years.  
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)  
☐ The conditions of supervision should be modified as follows:

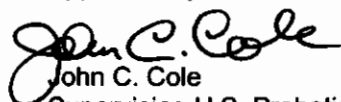
I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted By,



Mark R. Grawe  
U.S. Probation Officer  
Date: November 15, 2005

Approved By,



John C. Cole  
Supervising U.S. Probation Officer  
Date: November 15, 2005

THE COURT ORDERS:

- ☐ No Action  
☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the issuance of a Warrant for his/her arrest.  
☐ The Issuance of an Order to Appear and Show Cause  
☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.  
☐ Other

 11/15/05  
Signature of Judicial Officer

11/15/05  
Date